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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 JUAN CARLOS SANCHEZ DENTON,

11 Petitioner,

12 vs.

13 STATE OF NEVADA, *et al.*,

14 Respondents.
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Case No. 2:15-cv-00868-LDG-CWH

ORDER

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17 This action is a *pro se* petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254
18 by an inmate. Neither a filing fee nor an application to proceed *in forma pauperis* was submitted
19 with the petition. When filing a habeas action, petitioner must either submit the \$5.00 filing fee for
20 habeas petitions or an application to proceed *in forma pauperis*. Due to the lack of an *in forma*
21 *pauperis* application or filing fee, the present action will be dismissed without prejudice to the filing
22 of a new petition in a new action with a pauper application with all required attachments. It does
23 not appear from the papers presented that a dismissal without prejudice would result in a promptly-
24 filed new petition being untimely. In this regard, petitioner at all times remains responsible for
25 calculating the running of the limitations period as applied to his case and properly commencing a
26 timely-filed habeas corpus action.

27 **IT THEREFORE IS ORDERED** that this action is **DISMISSED** without prejudice to the
28 filing of a **new petition in a new action**.

UNITED STATES DISTRICT JUDGE
LLOYD D. GEORGE